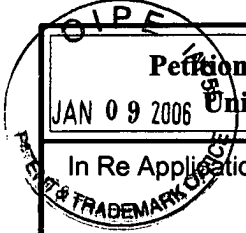


DAC



Petition For Revival Of An Application For Patent Abandoned Unintentionally Under 37 CFR 1.137(b) (Small Entity)	Docket No. 18861
---	----------------------------

In Re Application Of: **Louis Schofield**

Application No.	Filing Date	Examiner	Customer No.	Group Art Unit	Confirmation No.
09/787,111	May 14, 2001	Nita M. Minnifield	23389	1645	1473

Invention: **IMMUNOGENIC COMPOSITIONS AND USES THEREOF**

Attention: Office of Petitions
Mail Stop Petition
COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, VA 22313-1450

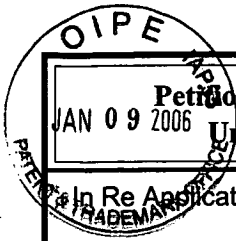
NOTE: If information or assistance is needed in completing this form, please contact Petitions Information at (703) 305-9282.

The above-identified application became abandoned for failure to file a timely and proper response to a notice or action by the Patent and Trademark Office. The date of abandonment is the day after the expiration date of the period set for reply in the Office notice or action plus any extension of time actually obtained.

APPLICANT HEREBY PETITIONS FOR REVIVAL OF THIS APPLICATION

- NOTE: A grantable petition requires the following items:
- (1) Petition fee;
 - (2) Reply and/or issue fee;
 - (3) Terminal disclaimer with disclaimer fee—required for all utility and plant applications filed before June 8, 1995; and for all design applications; and
 - (4) Statement that the entire delay was unintentional.

1. ☒ A proposed reply to the above-identified Office Action:
- ☒ is enclosed. ☐ was filed on _____
- The proposed reply is in the form of: Amendment Under 37 C.F.R. 1.121
2. ☐ The issue fee:
- ☐ is enclosed. ☐ was paid on _____
3. ☒ Applicant claims small entity status. See 37 CFR 1.27
4. ☒ The abandoned application was a:
- ☐ design application. ☒ utility application. ☐ plant application.
5. ☐ A terminal disclaimer (and fee) disclaiming a period equivalent to the period of abandonment is enclosed.
6. ☒ Since this utility/plant application was filed on or after June 8, 1995, no terminal disclaimer is required.



Petition For Revival Of An Application For Patent Abandoned Unintentionally Under 37 CFR 1.137(b) (Small Entity)	Docket No. 18861
---	-----------------------------------

In Re Application Of: **Louis Schofield**

Application No.	Filing Date	Examiner	Customer No.	Group Art Unit	Confirmation No.
09/787,111	May 14, 2001	Nita M. Minnifield	23389	1645	1473

Invention: **IMMUNOGENIC COMPOSITIONS AND USES THEREOF**

Calculation and Payment of Fees

Enclosed are the following fees:

- | | |
|---|-----------------------------|
| 7. <input checked="" type="checkbox"/> Petition fee under 37 CFR 1.17(m) in the amount of: | <u>\$750.00</u> |
| 8. <input type="checkbox"/> Fee for amendment in the amount of: | <u> </u> |
| 9. <input type="checkbox"/> Fee for extension of time to reply to Office Action in the amount of: | <u> </u> |
| 10. <input type="checkbox"/> Issue fee in the amount of: | <u> </u> |
| 11. <input type="checkbox"/> Continuing application filing fee in the amount of: | <u> </u> |
| 12. <input type="checkbox"/> Terminal disclaimer fee in the amount of: | <u> </u> |
| 13. <input type="checkbox"/> _____ | <u> </u> |
| Total fees enclosed: <u>\$750.00</u> | |

The fee of **\$750** is to be paid as follows:

- ☒ A check in the amount of the fee is enclosed.
- ☒ The Director is hereby authorized to charge any fees which may be required, or credit any overpayment, to Deposit Account No. **19-1013/SSMP**
- ☐ Payment by credit card. Form PTO-2038 is attached.

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.



**Petition For Revival Of An Application For Patent Abandoned
Unintentionally Under 37 CFR 1.137(b) (Small Entity)**

Docket No.
18861

Application Of:

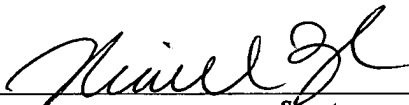
Louis Schofield

Application No.	Filing Date	Examiner	Customer No.	Group Art Unit	Confirmation No.
09/787,111	May 14, 2001	Nita M. Minnifield	23389	1645	1473

Invention: **IMMUNOGENIC COMPOSITIONS AND USES THEREOF**

Statement

The entire delay in filing the required reply from the due date for the required reply until the filing of a grantable petition under 37 CFR 1.137(b) was unintentional.


Signature

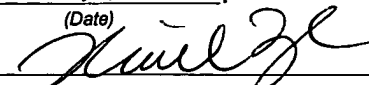
Xiaochun Zhu
Registration No. 56,311
Scully, Scott, Murphy & Presser
400 Garden City Plaza-STE 300
Garden City, New York 11530
(516) 742-4343

Dated: **January 5, 2006**

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to "Mail Stop Petition, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450" [37 CFR 1.8(a)] on

January 5, 2006

(Date)



Signature of Person Mailing Correspondence

Xiaochun Zhu

Typed or Printed Name of Person Mailing Correspondence

cc: XZ:ab



THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Louis Schofield

Examiner: Nita M. Minnifield

Serial No.: 09/787,111

Art Unit: 1645

Filed: May 14, 2001

Docket: 18861

**For: IMMUNOGENIC COMPOSITIONS
AND USES THEREOF**

Date: January 5, 2006

Confirmation No.: 1473

**Mail Stop Petition
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450**

PETITION TO REVIVE UNDER 37 C.F.R. §1.137(b)

Sir:


Applicant, through the undersigned, respectfully petitions the Commissioner of Patents and Trademarks to revive the subject application under the provisions of 37 C.F.R. §1.137(b).

CERTIFICATE OF MAILING UNDER 37 C.F.R. § 1.8(a)

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Mail Stop Petition, Commissioner for Patents, P. O. Box 1450, Alexandria, VA 22313-1450 on January 5, 2006.

Dated: January 5, 2006

450 on January 3, 2006.


Xiaochun Zhu

An Office Communication was mailed on May 27, 2005 to Foley & Lardner, the prior attorney of record. No response to the Communication was filed within the period of one month as required by the Office Communication, or within the allowable extension period, i.e., by November 27, 2005.

Pursuant to 37 C.F.R. §1.137(b), Applicant is providing herewith a Response to the outstanding Office Communication under 37 C.F.R. §1.121. Applicant respectfully submits that the entire delay in filing the Response from the due date for the Response until the filing of the instant Petition was unintentional. The fee for this petition, pursuant to 37 C.F.R. §1.17(m), is also enclosed.

Because the instant utility application was filed after June 8, 1995, no terminal disclaimer is required.

In light of the foregoing, Applicant respectfully requests that this petition be approved.

Respectfully submitted,



Xiaochun Zhu
Registration No. 56,311

Scully, Scott, Murphy & Presser
400 Garden City Plaza-Ste 300
Garden City, New York 11530
Telephone: 516-742-4343
XZ:ab/dg

Encls:

Response to Office Communication under 37 C.F.R. §1.121
Fee pursuant to 37 C.F.R. §1.17(m)